

**CUSTOMER NO.: 24737
EXPEDITED PROCEDURE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of) Examiner: I. JAMA
J. THijs, et al.)
) Art Unit: 2617
Serial No.: 10/596,424)
) Confirmation: 6445
Filed: June 6, 2007)
)
For: EMERGENCY RESPONSE)
DEVICE FOR SUMMONING)
A RESPONDER AND)
ROUTING SAID RESPONDER)
TO A VICTIM)
)
Date of Last Office Action:)
February 1, 2010)
)
Attorney Docket No.:) Cleveland, OH 44114
PHNL031475US1 / PKRX200117US01) March 25, 2010

**CONDITIONAL
PETITION FOR WITHDRAWAL
OF PREMATURE FINALITY**

Mail Stop: AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the accompanying amendment, Applicant is requesting that the Examiner voluntarily withdraw the Finality of the Office Action of February 1, 2010 as being premature. If the Examiner fails to withdraw the Finality of the Office Action of February 1, 2010, then Applicant hereby petitions for the withdrawal of the Finality of the Office Action of February 1, 2010.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this **CONDITIONAL PETITION FOR WITHDRAWAL OF PREMATURE FINALITY** and accompanying documents in connection with U.S. Serial No. 10/596,424 are being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).

Date

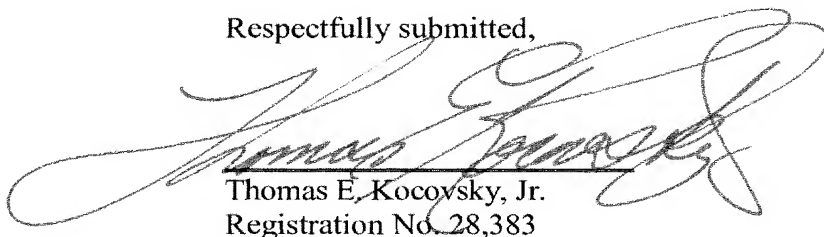
Patricia A. Heim

The Finality of the Office Action is premature, because the Examiner issued a new ground of rejection which was not necessitated by Applicant's amendment of October 14, 2009.

Specifically, in the Amendment of October 14, 2009, independent **claim 11** was not amended. Additionally, dependent **claim 14** was placed in independent form including all of the subject matter of **claim 2**, its parent claim. Nothing substantial was added, nothing substantial was deleted. Further, independent **claim 4** was editorially, but not substantially amended. Even though **claim 11** was not amended and claims **4 and 14** were not substantially amended, the Examiner withdrew the prior ground of rejection and instituted a new ground of rejection. No new limitations were added or amendments made which would require further search or consideration. Accordingly, it is submitted that the finality of the Office Action of February 1, 2010 is premature and should be withdrawn.

The applicant hereby requests that the finality of the Office Action of February 1, 2010 be withdrawn.

Respectfully submitted,



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